

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. **IZAC** asked and received permission to extend his own remarks in the **RECORD**.)

Mr. **KELLEY**. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the **RECORD** and to include therein an address by Mr. Paul A. Strachan, president of the American Federation of the Physically Handicapped, at a recent convention of that organization.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ADJOURNMENT

Mr. **MCCORMACK**. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Wednesday, September 13, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The Committee on the Public Lands will have a hearing on Wednesday, September 13, 1944, at 10 a. m., in the committee room to consider H. R. 4286, H. R. 4697, H. R. 4555, H. R. 5235, and such other matters as may properly come before the committee.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. **LESINSKI**: Committee on Invalid Pensions. H. R. 5041. A bill to amend the Veterans' Regulations; without amendment (Rept. No. 1882). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. **PATTON**: Committee on Claims. H. R. 3639. A bill for the relief of Herman Weinert, Jr., M. D.; with amendment (Rept. No. 1880). Referred to the Committee of the Whole House.

Mr. **MCGEEHEE**: Committee on Claims. H. R. 3931. A bill for the relief of A. D. Gibson, M. D.; with amendment (Rept. No. 1881). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. **POWERS**:

H. R. 5344. A bill to authorize long-distance telephone calls by military personnel at Government expense, and for other purposes; to the Committee on Military Affairs.

By Mr. **RANDOLPH**:

H. R. 5345. A bill to provide for the reconversion of small industries to civilian production, to expedite the reentry into business of small businessmen whose businesses have been curtailed or closed because of war emergencies, to aid men and women of our armed forces and others who desire to enter into business on their own after the war, and to encourage the free flow of American capital into small- and intermediate-sized enterprises, by the establishment of a permanent Small Business Finance Corporation within the Federal Reserve System to assist financing institutions in making short- and long-term credit available to small- and intermediate-sized enterprises; to the Committee on Banking and Currency.

By Mr. **MAAS**:

H. Res. 638. A resolution establishing a select committee to be known as the Committee on the Sale and Disposition of Surplus Government-owned Property; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. **ANDREWS** of Alabama:

H. R. 5346. A bill for the relief of Lindon A. Long; to the Committee on Claims.

By Mr. **McLEAN**:

H. R. 5347. A bill for the relief of Joseph Wyzynski; to the Committee on Claims.

By Mr. **RANDOLPH**:

H. R. 5348. A bill for the relief of William D. McCauley; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6099. By Mr. **COCHRAN**: Petition submitted by St. Louis Industrial Union Council, of St. Louis, Mo., signed by 1,800 members praying for full employment, full production, and a national income level equal to our wartime national income, holding that they are essentials to a national program of reconversion if our country is to enjoy peace and prosperity in the post-war period and if our soldiers, sailors, and war workers are to have jobs and a decent standard of living. They also advocate the principles contained in the Kilgore bill; to the Committee on Ways and Means.

6100. By Mr. **ROLPH**: Resolution of Department Store Employees Union, No. 1100, of San Francisco, covering need for plan to assure full employment in post-war period; to the Committee on Expenditures in the Executive Departments.

6101. By the **SPEAKER**: Petition of J. M. Garcia, Tapachula, Chiapas, Mexico, petitioning consideration of his resolution with reference to the return to Mexico of the territory of El Chamizal; to the Committee on Insular Affairs.

SENATE

WEDNESDAY, SEPTEMBER 13, 1944

(Legislative day of Friday, September 1, 1944)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of our salvation: Cause us to know Thy loving kindness in the

morning, for in Thee do we trust; cause us to know the way wherein we should walk, for we lift up our souls unto Thee. Touch our tasks this day with some gleam of Thy glory until, blind and willful though we are, we begin living as they should live who have eternity set in their hearts. Lift us more and more into the steady sense of our kinship with Thee.

In Thy light may we bring to the bar of judgment the hopes which have misled us, the motives which shame us, the methods which have failed us, and the values which have cheated us. Defeat us in all else save the doing of Thy will. Give us a part in making the earth's crooked ways straight, when social and industrial relations will lose their hard antagonisms and become the hallowed cooperation of comrades in human service. Toward this high purpose may we labor while our brief day lasts, in quiet confidence forever sure that Thou wilt guide our steps and keep our feet from falling. We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,

Washington, D. C., September 13, 1944.
To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRANCIS MALONEY, a Senator from the State of Connecticut, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. **MALONEY** thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. **HILL**, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, September 12, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had passed a bill (H. R. 3608) relating to certain overtime compensation of civilian employees of the United States, in which it requested the concurrence of the Senate.

FEDERAL POWER COMMISSION— LELAND OLDS

Mr. **HILL**. I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Cordon	McKellar
Andrews	Danaher	Maloney
Ball	Davis	Maybank
Bankhead	Ferguson	Mead
Barkley	George	Millikin
Bridges	Gillette	Moore
Buck	Gurney	O'Daniel
Burton	Hayden	O'Mahoney
Bushfield	Hill	Reed
Byrd	Johnson, Calif.	Reynolds
Capper	Johnson, Colo.	Robertson
Caraway	Kilgore	Russell
Chavez	Langer	Scruggs
Clark, Idaho	McCarran	Shipstead
Connally	McClellan	Stewart

Thomas, Okla.	Vandenberg	Wherry
Thomas, Utah	Walsh, Mass.	White
Tunnell	Walsh, N. J.	Wiley
Tydings	Weeks	Willis

Mr. HILL. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Indiana [Mr. JACKSON], the Senator from Illinois [Mr. LUCAS], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER], and the Senator from Washington [Mr. WALLGREN] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Missouri [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GREEN], the Senator from Maryland [Mr. RADCLIFFE], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from New Jersey [Mr. HAWKES], the Senator from Oregon [Mr. HOLMAN], the Senator from North Dakota [Mr. NYE], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The ACTING PRESIDENT pro tempore. Fifty-seven Senators having answered to their names, a quorum is present.

The matter before the Senate is the nomination of Leland Olds, of New York, to be a member of the Federal Power Commission. The question is, Will the Senate advise and consent to this nomination? Under the order of the Senate of yesterday, no further debate is permissible.

Mr. WHITE. Mr. President, may I inquire of the Senator from Oklahoma [Mr. MOORE] whether he desires a ye-and-nay vote?

Mr. MOORE. That is correct; I desire a ye-and-nay vote.

Mr. WHITE. Mr. President, I call for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is the demand for the yeas and nays sufficiently seconded?

The yeas and nays were not ordered.

Mr. TUNNELL. Mr. President, may I make a correction in the RECORD?

The ACTING PRESIDENT pro tempore. No debate is in order at this time.

Mr. TUNNELL. What I propose to do does not constitute debate. I simply wanted to know if I could make a correction in the RECORD.

The ACTING PRESIDENT pro tempore. The Chair is advised that that is in the nature of debate and must go over for the present.

The question is, Will the Senate advise and consent to this nomination? [Putting the question.] The "ayes" have it, and the nomination is confirmed.

Mr. STEWART. Mr. President, I understood the Chair to announce the confirmation of the nomination of Mr. Olds.

The ACTING PRESIDENT pro tempore. Yes; the nomination of Mr. Olds has been confirmed.

Mr. STEWART. Mr. President, I request that the President be immediately notified of the confirmation of the nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be immediately notified.

NOMINATIONS OF ADMIRAL CHESTER W. NIMITZ AND ADMIRAL ROYAL E. INGERSOLL

Mr. WALSH of Massachusetts. Mr. President, from the Committee on Naval Affairs I report favorably the nomination of Admiral Chester W. Nimitz, United States Navy, to be an admiral in the Navy, for temporary service, to rank from the 31st day of December 1941.

I also report from the same committee the nomination of Admiral Royal E. Ingersoll, United States Navy, to be an admiral in the Navy, for temporary service, to rank from the 1st day of July 1942.

In connection with this report, I ask to have inserted in the RECORD a statement prepared by the Naval Affairs Committee giving the reasons for the promotions of Admiral Nimitz and Admiral Ingersoll to the rank of admiral in the Navy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A law enacted more than 20 years ago authorized the officers who were assigned to duty as commander in chief of the Pacific Fleet and commander in chief of the Atlantic Fleet to assume the rank of admiral while serving in these positions. These officers are not confirmed by the Senate and revert to their permanent status upon being detached from these particular duties. This law has been amended from time to time so that three officers of the Navy who hold important command positions may be designated as admirals without being confirmed by the Senate.

Admirals Nimitz and Ingersoll hold their ranks as admiral by virtue of being assigned to duty, respectively, as commander in chief of the Pacific and Atlantic Fleets. Upon being detached from these specific duties these officers would revert to their permanent rank of rear admiral.

Approximately 3 years ago Congress enacted legislation authorizing officers to be temporarily promoted during the war and for a period of 6 months thereafter. It provided also that officers promoted to the rank of admiral should be confirmed by the Senate.

The nominations pending before the committee of Admirals Nimitz and Ingersoll are nominations under the more recent law, which provides that they shall hold the temporary rank of admiral during the war and for a period of 6 months thereafter, regardless of what duties they may be assigned.

THE EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, while we are engaged in executive business, I think we might as well dispose of the Executive Calendar for today. Therefore I ask that the Senate proceed to the consideration of the nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. The clerk will proceed to state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Howard F. Houk to be United States attorney for the district of New Mexico.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Benjamin J. McKinney to be United States marshal for the district of Arizona.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that the nominations in the United States Public Health Service be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I make the same request with respect to the nominations of postmasters.

The ACTING PRESIDENT pro tempore. Without objection, the nominations of postmasters on the calendar are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. REYNOLDS. Mr. President, I should like to have the consideration of the nominations in the Army go over until Friday.

Mr. BARKLEY. Or until the next session.

Mr. REYNOLDS. Yes.

Mr. BARKLEY. Whether Friday or some other day.

The ACTING PRESIDENT pro tempore. Without objection, the consideration of the nominations in the Army will go over as requested.

Mr. BARKLEY. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed.

The ACTING PRESIDENT pro tempore. Without objection, the President

will be notified of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. BARKLEY. Mr. President, all of our proceedings up to the present moment have been in executive session. I therefore move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to consider legislative business.

PERSONNEL REQUIREMENTS

The ACTING PRESIDENT pro tempore laid before the Senate letters from the Coordinator of Inter-American Affairs and the executive secretary, Office of Scientific Research and Development, transmitting, pursuant to law, estimates of personnel requirements for their respective offices for the quarter ending December 31, 1944, which, with the accompanying papers, were referred to the Committee on Civil Service.

BILL INTRODUCED

Mr. REYNOLDS, by unanimous consent, introduced a bill (S. 2145) to amend the Selective Training and Service Act of 1940, as amended, to extend the time within which application may be made for reemployment, and for other purposes, which was read twice by its title and referred to the Committee on Military Affairs.

HOUSE BILL REFERRED

The bill (H. R. 3608) relating to certain overtime compensation of civilian employees of the United States, was read twice by its title and referred to the Committee on Claims.

FEDERAL AID FOR POST-WAR HIGHWAY CONSTRUCTION—AMENDMENT

Mr. BUSHFIELD and Mr. RUSSELL each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 2105) to amend and supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to pro-

vide for the immediate preparation of plans and acquisition of rights-of-way, and for other purposes, which were ordered to lie on the table and to be printed.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES — CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH FOR THE PERIOD APRIL 1 THROUGH JULY 31, 1944.

Mr. BYRD. Mr. President, on behalf of the Joint Committee on Reduction of Nonesential Federal Expenditures, I desire to present a report on civilian employment in the executive branch of the Government for the period April 1 through July 31, 1944. I ask unanimous consent that a statement explanatory of the report, and the report itself, be printed in the body of the Record.

There being no objection, the statement and report were ordered to be printed in the Record, as follows:

STATEMENT

The total number of paid employees for July 1944 is 3,112,965, excluding 252,978 employees of the War Department outside of continental United States.

The total employment for July 1944, is 17,502 in excess of the employment peak of 3,095,463 reached in the month of June 1943. This figure is exclusive of the employees of the War Department outside the continental United States.

Thirty-seven departments and agencies have increased 101,749 between May 1, 1944, to July 31, 1944, while 26 departments and agencies have eliminated only 5,703 employees, making a net increase of 96,046 for the period. For the first 7 months (January 1 to July 31, 1944) the net increase is 134,736.

Substantial increases were made by the following: War Department, 40,051; Navy Department, 31,030; Post Office Department, 9,001; Interior Department, 3,767; and Veterans' Administration, 2,535.

Greatest reductions were made by the following: Selective Service, 879; National Housing, 766; Tennessee Valley Authority, 657; and Office of Civilian Defense, 538.

The increase in the War Department is in part due to 24,000 force account employees and 9,600 not reported before as coming under the pay rolls of A. S. F. (Army Service Forces) and Army Air Corps. Further information will be furnished by said Department if necessary. The increase in the Post

Office Department is due to the temporary substitute employees.

Following the last report to the Senate on the status of Federal civilian employees of the Federal Government presented June 23, 1944, the Civil Service Commission, in a report to the President and a release to the press, indicated that there had been a reduction in the number of civil-service employees and an increase in manpower utilization. Reports received by the committee show quite the contrary. In presenting the last report on personnel in June, the record showed that there had been a steady net increase in the number of Federal civilian employees for the months of January, February, March, and April.

In submitting the present personnel report for the months of May, June and July, the figures received show that the number of Federal civilian employees is still on the increase despite the impression made by the Civil Service Commission's press release that "personnel is being reduced" and "manpower utilization is being outstandingly increased." These increases are shown on the table attached.

On August 25, 1944, I wrote to Harry B. Mitchell, President, United States Civil Service Commission, regarding this report and press release and asked for information showing the reduction in total paid civilian employees within the continental limits of the United States since January 1, 1944. Reply to this letter was received under date of September 1, with a table enclosed showing figures for March 31, 1944, and June 30, 1944. The Commission implies in its letter that a reduction in paid civilian employees has been made, whereas the table enclosed shows an increase in the total paid civilian employees. The Commission states further that actually the personnel of the War Department has increased in recent months but falls to state or admit that the total paid civilian personnel also has increased. When we realize that the ratio of Federal civilian employees to State civilian employees is now about 7 to 1, it is further evident that the Federal Government is considerably overstaffed. About 5 percent of the working population of the United States works for the executive branch of the Federal Government, approximately 3,000,000 people. Approximately 10 percent of these are in the Washington, D. C., area; another 10 percent in the State of New York, and approximately 9 percent in California. The remainder are scattered across the other 46 States. If this army of Federal employees were lined up four abreast in military formation, the line would reach from Washington, D. C., to New York City.

REPORT

Civilian employment of the executive branch of the Federal Government, by departments and agencies, for months of April, May, June, and July 1944, showing increases and decreases in number of paid employees

Department or agency	1944				Increase	Decrease
	April	May	June	July		
Executive Office of the President: Bureau of the Budget.....	548	552	545	563	15	
Departments:						
Agriculture Department.....	82,071	80,025	80,925	81,991		80
Commerce Department.....	29,270	29,733	30,095	29,638	368	
Interior Department ^{1,2}	40,762	42,038	43,313	44,529	3,767	
Justice Department.....	29,201	29,364	29,722	29,943	742	
Labor Department.....	6,114	6,597	6,825	6,977	863	
Navy Department ¹	736,797	747,055	765,929	767,827	31,030	
Post Office Department.....	352,476	348,166	352,778	361,477	9,001	
State Department.....	8,545	8,548	8,859	8,909	364	
Treasury Department.....	92,093	93,264	94,308	94,019	1,926	
War Department ³	1,225,590	1,234,919	1,262,913	1,265,641	40,051	
National war agencies:						
Committee on Fair Employment Practice.....	113	122	123	117	4	
Division of Central Administrative Services.....	4,044	4,068	3,986	3,814		230
Foreign Economic Administration.....	5,638	5,629	5,699	5,818	180	
National War Labor Board.....	3,711	3,977	3,689	4,616	905	
Office of Alien Property Custodian.....	894	891	890	878		16

¹ Includes 10,324 employees of Navy and 112 of Interior now in the hands of the enemy.

² Increase due to seasonal employees.

³ Does not include employees outside continental United States.

REPORT—Continued.

Civilian employment of the executive branch of the Federal Government, by departments and agencies, for months of April, May, June, and July 1944, showing increases and decreases in number of paid employees—Continued

Department or agency	1944				Increase	Decrease
	April	May	June	July		
National war agencies—Continued.						
Office of Censorship.....	12,077	11,942	11,871	11,647	430	
Office of Civilian Defense.....	684	452	292	146	538	
Office of Coordinator of Inter-American Affairs.....	1,375	1,366	1,367	1,357	18	
Office of Defense Transportation.....	5,141	5,155	5,138	5,181	40	
Office of Economic Stabilization.....	11	11	10	10	1	
Office of Price Administration.....	59,015	60,547	60,782	60,799	1,784	
Office of Scientific Research and Development.....	1,191	1,248	1,293	1,340	149	
Office of Strategic Service.....	1,857	1,934	1,946	2,061	204	
Office of War Information.....	7,201	7,959	8,283	8,522	1,321	
Office of War Mobilization.....	36	49	51	58	22	
Petroleum Administration for War.....	1,308	1,279	1,277	1,264	44	
Selective Service.....	23,998	23,859	23,589	23,119	879	
Smaller War Plants Corporation.....	1,746	1,740	1,746	1,750	4	
War Manpower Commission.....	26,075	27,901	27,002	27,338	1,263	
War Production Board.....	16,993	16,748	16,565	17,268	275	
War Shipping Administration.....	5,037	4,838	4,694	4,852	185	
Independent agencies:						
American Battle Monuments Commission.....	1	1	1	1		
Board of Investigation and Research—Transportation.....	51	47	28	22	29	
Civil Aeronautics Board.....	330	336	336	343	13	
Civil Service Commission.....	7,498	7,736	7,640	7,521	23	
Employees Compensation Commission.....	513	510	509	523	10	
Export-Import Bank of Washington.....	60	59	58	59	11	
Federal Communications Commission.....	2,162	2,063	1,871	1,712	450	
Federal Deposit Insurance Corporation.....	1,058	1,039	1,017	1,002	56	
Federal Power Commission.....	663	663	668	669	6	
Federal Security Agency.....	30,978	31,503	31,082	31,338	360	
Federal Trade Commission.....	454	451	450	451	3	
Federal Works Agency.....	20,593	20,303	20,252	20,226	367	
General Accounting Office.....	11,221	11,444	11,992	12,644	1,423	
Government Printing Office.....	7,434	7,290	7,283	7,249	185	
Interstate Commerce Commission.....	2,159	2,132	2,135	2,147	12	
Maritime Commission.....	9,970	10,509	10,593	10,781	811	
National Advisory Committee for Aeronautics.....	5,508	5,753	6,090	6,262	754	
National Archives.....	257	340	349	366	9	
National Capital Housing Authority.....	257	258	249	250	7	
National Capital Park and Planning.....	18	19	18	17	1	
National Gallery of Art.....	260	261	262	258	2	
National Housing Agency.....	19,183	18,827	18,900	18,417	766	
National Labor Relations Board.....	679	681	713	718	39	
National Mediation Board.....	91	83	86	90	1	
Panama Canal.....	29,538	28,717	28,651	30,361	823	
Railroad Retirement Board.....	1,720	1,745	1,789	1,829	109	
Reconstruction Finance Corporation.....	7,892	8,221	8,287	8,550	658	
Securities and Exchange Commission.....	1,209	1,206	1,196	1,192	17	
Smithsonian Institution.....	418	419	430	430	12	
Tariff Commission.....	306	305	303	301	5	
Tax Court of the United States.....	123	122	124	123		
Tennessee Valley Authority.....	21,800	21,838	21,025	21,143	657	
Veterans' Administration.....	50,803	51,226	52,069	53,338	2,535	
Total.....	3,016,919	3,038,143	3,092,961	3,113,802	101,863	4,980
Net increase.....					96,883	
War Department civilian employees stationed outside of continental United States, as of June 30, 1944 ¹	252,978	252,978	252,978	252,978		
Grand total.....	3,269,897	3,291,121	3,345,939	3,366,780		

¹ Reported quarterly.

² Employees outside continental United States spread over various departments and agencies, totals, May, 11,358; June, 12,506; July, 11,472.

Note.—Employment figures now reported to the committee include dollar-per-annum, terminal leave, and without-compensation employees of the consultant-expert type who are authorized to receive per diem in lieu of subsistence.

Totals of Federal civilian employees and net monthly increases

	Monthly totals ¹	Net increases
January.....	2,978,229	-----
February.....	2,983,466	5,237
March.....	2,997,452	13,986
April.....	3,016,897	19,445
May.....	3,038,143	21,246
June.....	3,092,961	54,818
July.....	3,112,965	20,004
		134,736

¹ Exclusive of War Department employees stationed outside of continental United States, 252,978.

VIEWS OF AMERICAN FARM BUREAU FEDERATION ON AGRICULTURAL PROBLEMS—ADDRESS BY EDWARD A. O'NEAL

[Mr. CAPPER asked and obtained leave to have printed in the Record an address delivered by Edward A. O'Neal, president of the American Farm Bureau Federation, at the Northeastern Regional Farm Bureau meeting, New York, N. Y., on August 23, 1944, which appears in the Appendix.]

AMERICAN WAR DADS—STATEMENT BY JOHN M. COLLINS

[Mr. CAPPER asked and obtained leave to have printed in the Record a statement by John M. Collins, chairman of the National Committee on Public Relations of the American War Dads, setting forth the aims and objectives of the American War Dads, which appears in the Appendix.]

ADDRESS BY SECRETARY ICKES BEFORE NINTH CONVENTION OF U. A. W.-C. I. O., AT GRAND RAPIDS, MICH.

[Mr. KILGORE asked and obtained leave to have printed in the Record the address delivered by Hon. Harold L. Ickes, Secretary of the Interior, before the ninth convention of the International Union United Automobile, Aircraft and Agricultural Implement Workers of America, at Grand Rapids, Mich., September 12, 1944, which appears in the Appendix.]

EDITORIAL COMMENTS ON RETIREMENT OF JAMES A. FARLEY

[Mr. WALSH of New Jersey asked and obtained leave to have printed in the Record

an editorial entitled "Sunny Jim Farley Makes His Exit," published in the Hastings (Nebr.) Daily Tribune of June 9, 1944, and an editorial entitled "Mr. Farley Dismounts," published in the Flint (Mich.) Journal of June 13, 1944, which appear in the Appendix.]

AUTHORIZATION FOR COMMITTEE ON INDIAN AFFAIRS TO FILE REPORTS

Mr. THOMAS of Oklahoma. Mr. President, inasmuch as we shall probably have a call of the calendar some time soon, and because there are a number of bills which are ready to be reported from the Committee on Indian Affairs, but upon which reports have not yet been filed, I ask unanimous consent to have until midnight tonight to file such reports as the committee has ordered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Subsequently, under authority of the order, supra, the following reports were

submitted today from the Committee on Indian Affairs:

By Mr. BUSHFIELD:

S. 1746. A bill authorizing and directing the Secretary of the Interior to issue to Peter A. Condelario a patent in fee to certain land; without amendment (Rept. No. 1090).

By Mr. CHAVEZ:

S. 1953. A bill to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands; without amendment (Rept. No. 1091).

By Mr. THOMAS of Oklahoma:

H. R. 2185. A bill to authorize the Secretary of the Interior, in carrying out the purposes of the act of May 18, 1916 (39 Stat. 137), to purchase logs, lumber, and other forest products; with amendments (Rept. No. 1092).

FORFEITURE OF PAY OF PERSONS IN MILITARY AND NAVAL SERVICE IN CERTAIN CIRCUMSTANCES

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1250) to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct, which were on page 1, to strike out all after line 5, over to and including line 5 of page 2, and insert:

SEC. 2. That paragraph VIII of Executive Order No. 6098, dated March 31, 1933 (Veterans Regulation No. 10, as amended; 38 U. S. C., ch. 12), be amended to read as follows:

"PAR. VIII. An injury or disease incurred during military or naval service will be deemed to have been incurred in line of duty and not the result of the veteran's own misconduct when the person on whose account benefits are claimed was, at the time the injury was suffered or disease contracted, in active service in the military or naval forces, whether on active duty or on authorized leave, unless such injury or disease was the result of his own willful misconduct: *Provided*, That venereal disease shall not be presumed to be due to willful misconduct if the person in service complies with the Army or Navy regulations requiring him to report and receive treatment for such disease: *Provided further*, That the requirement for line of duty will not be met if it appears that at the time the injury was suffered or disease contracted the person on whose account benefits are claimed (1) was avoiding duty by deserting the service, or by absenting himself without leave materially interfering with the performance of military duties; (2) was confined under sentence of court martial or civil court."

SEC. 3. That paragraph IX of Veterans Regulation No. 10, as amended, be and is hereby amended to read:

"PAR. IX. Pension shall not be payable under part III, Veterans Regulation No. 1 (a), as amended, for any disability due to the claimant's own willful misconduct or vicious habits."

SEC. 4. This act shall be effective from the date of its approval. Sections 2 and 3, inclusive, shall be applicable to claims filed or adjudicated thereafter and the beginning date of awards shall be as provided in applicable statute or regulations: *Provided*, That no claim heretofore disallowed by reason of misconduct or line of duty requirement shall be revived but benefits may be payable

on the basis of a new claim filed hereafter in such form as may be prescribed by the Administrator of Veterans' Affairs.

And to amend the title so as to read: "An act to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct, and to amend Veterans Regulation No. 10, as amended, to define line of duty and misconduct for pension and compensation purposes."

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate concur in the amendments of the House.

Mr. WHITE. Will the Senator from Colorado indicate what are the House amendments in which the Senator is proposing that the Senate concur?

Mr. JOHNSON of Colorado. Senate bill 1250 is a bill to repeal section 2 of the act approved March 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct.

This bill passed the Senate, and in the form in which it passed it was objected to by the Veterans' Administration. General Hines made a recommendation to the committee in the House which was considering the Senate bill, and the committee amended it in keeping with the recommendations of General Hines.

General Hines wrote a letter, which may be found in the CONGRESSIONAL RECORD for September 11, last, on page 7641, in which he states his position, and in which he says that the amendments which he recommends, and which have been adopted by the House, are approved by the Bureau of the Budget.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to.

TERMINATION CLAUSES IN EMERGENCY LEGISLATION

Mr. WALSH of Massachusetts. Mr. President, all the members of Senate committees have experienced from time to time difficulties in determining what language to use in fixing termination clauses in emergency legislation. Recently I inquired of the Navy Department whether or not it has made a study of and reached any conclusions as to conditions which should exist to render operative the various termination clauses that have been used in emergency legislation affecting the Navy. I inquired if the Attorney General had rendered an opinion on this subject, as other departments of the Government are affected in a similar manner.

The Secretary of the Navy has replied to my letter, informing me that the Attorney General has not rendered any formal opinion on the general subject, but he states that the Department of Justice has compiled a list of statutes with classifications as to termination clauses and that an extensive list of war and emergency statutes has also been compiled by the Legislative Reference

Service of the Library of Congress. He enclosed a list of temporary laws relating to the Navy in force on July 31, 1944. The enumeration of the various clauses used in emergency statutes and the observations made in reference to each will be found interesting and useful when Congress considers terminating certain temporary laws.

I ask that the letter and other data be printed in the RECORD.

There being no objection, the letter and data were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
Washington, September 1, 1944.

Hon. DAVID I. WALSH,
Chairman of the Committee on
Naval Affairs, United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of June 2, 1944, asking whether the Navy Department has made a study of, and reached conclusions, as to conditions which must exist to render operative various termination clauses contained in emergency legislation enacted since December 7, 1941. It was pointed out in your letter that possibly the Attorney General may have rendered an opinion on this subject as many other departments of the Government are affected in a similar manner.

It appears that the Attorney General has not rendered any formal opinion on the general subject. However, a list of statutes with classifications as to termination clauses was compiled by the Department of Justice some several months ago. An extensive list of war and emergency statutes has also been compiled by the Legislative Reference Service of the Library of Congress. This list is contained in Bulletin No. 20 of the Public Affairs bulletins of the Library. Neither list is strictly up to date.

There is enclosed a list of temporary laws relating to the Navy, in force on July 31, 1944, compiled in the Office of the Judge Advocate General of the Navy.

In reviewing the problems raised by war and emergency legislation becoming ineffective on some date connected with the end of the war, it is apparent at the outset that the problem is of necessity much broader than that of legislation enacted after December 7, 1941. As indicated by the enclosure, some important temporary legislation was enacted over a period of several months prior to that date. Further there is a considerable body of permanent legislation effective only in time of war or emergency which will raise the same practical problems at the close of the war or the end of the emergency as are raised by the temporary acts. The Library of Congress bulletin above referred to includes some 260 acts, enacted before December 7, 1941, in this latter class. Some of these acts are of such age as to be included in the Revised Statutes.

The following classification can be made of war or emergency statutes, according to the nature of the contingency upon whose happening they expire:

1. EXPIRING AT THE CONCLUSION OF THE WAR

This would include not only temporary legislation effective "during the present war," "during any war in which the United States is now engaged," "until the termination of the present war with Germany, Italy, and Japan," but also permanent legislation operative "in time of war," "during the existence of war in which the United States is engaged," "whenever a state of war exists." The difficulty lies in the determination of the date on which the war terminates for purposes of determining when the statute ceases to be effective. This difficulty is resolved by provisions in many of the statutes provid-

ing for determination of such date by the President in a proclamation or other method of designation or by the Congress by concurrent or joint resolution. Lacking such guides, it is necessary to refer to the previous court decisions on the same problem following past wars.

The determination of the date of termination of war is for the political branch of the Federal Government, and is usually made by a formal proclamation. It is not a question of fact to be determined by the judiciary. The Court in *Hamilton v. McClaughry* (136 Fed. 445 (Apr. 12, 1905)), stated:

"It is the well-settled law that the existence of a condition of war must be determined by the political department of the Government; that the courts take judicial notice of such determination and are bound thereby," and cited in support thereof *U. S. v. 129 Packages* (Fed. Cas. No. 15, 941); *Sutton v. Tiller* (98 Am. Dec. 471).

It is clear that the date of termination of the war is that date established by unequivocal public proclamation by the President or proper legislative action by the Congress. No event precedent to that time is sufficient to predicate a termination of the war in the legal sense.

Thus the Civil War was terminated by President Johnson's proclamation of August 20, 1866 (14 Stat. 817), declaring that the insurrection against the Nation was at an end; and that peace, order, tranquillity, and civil authority existed in and throughout the whole of the United States of America. This date was recognized as the date of the termination of the war by the Congress in section 2 of the act of March 2, 1867 (14 Stat. 422).

The United States Supreme Court approved this date in the case of *McElrath v. United States* (102 U. S. 426, 438, October term 1880), holding that the limitation "except in time of peace" on the power of the President to summarily dismiss a military officer, contemplated not a mere cessation of hostilities, but peace in the complete sense, officially proclaimed.

A variety of termination clauses was adopted by Congress for war and emergency legislation adopted during World War No. 1. The provisions of the termination clauses of the more important World War No. 1 emergency acts are given in a note at 251 United States, page 165. "Conclusion of the war" as used by Congress was held in *Hamilton v. Kentucky Distilleries Co.* (251 U. S. 146; 40 Sup. Ct. 106) not to mean the mere cessation of hostilities. This case involved a prosecution under the Wartime Prohibition Act (40 Stat. 1045, 1046), which was enacted in reliance on war-emergency powers of the Congress and became effective 10 days after the signing of the armistice with Germany (November 11, 1918).

The Court continued "nor may we assume that Congress intended by the phrase to designate the date when the treaty of peace should be signed at Versailles or elsewhere by German and American representatives, since by the Constitution a treaty is only a proposal until approved by the Senate. Furthermore, to construe 'conclusion of war' as meaning the actual termination of war activities would leave wholly uncertain the date the act would cease to be operative; whereas Congress evinced here, as in other war statutes, a clear purpose that the date of expiration should be definitely fixed."

A similar result was reached in *Kahn v. Anderson* (255 U. S. 1, 10 (Jan. 31, 1921)) wherein it was held that the ninety-second article of the Articles of War (1916), providing that "no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace" contemplates a complete peace, officially proclaimed, and that such a peace was not brought about by the armistice and the cessation of hostilities in the war with Germany and Austria.

Because of the failure of the President and the Senate to agree on a definitive treaty of peace following World War No. 1, considerable delay and confusion resulted in the determination of the date of termination of the war.

President Wilson in his message to Congress of November 11, 1918, transmitting terms of the armistice, stated "the war thus comes to an end, for having accepted these terms of the armistice, it will be impossible for the German command to renew it." Despite a few contrary decisions, such as *United States v. Hicks*, 256 Fed. 707 (1919) (which appear to be ill-considered), the President's statement has not been accepted as an official proclamation of the legal end of the war.

On July 14, 1919, a general enemy trade license was issued by the Department of State, authorizing all persons in the United States to trade and communicate with persons residing in Germany. On July 15, 1919, by order of the Postmaster General, the post office facilities were opened to receive mail matter destined for Germany and coming from Germany.

President Wilson was unwilling to take action to officially terminate the war. In answer to a question by Senator Fall, in August 1919, the President replied that in his judgment he did not have the power by proclamation to declare that peace exists, and that in no circumstances could he consent to take such a course prior to the ratification of a final treaty of peace.

In the early months of 1920 the Congress passed a resolution declaring the state of war at an end. This resolution was vetoed by the President on May 27, 1920, and the House of Representatives sustained the veto.

Considerable discussion resulted as to whether Congress or the President could separately terminate the state of war. (As to power of Congress to declare peace, see 18 Michigan Law Review (May 1920) pp. 669-675 wherein Edward S. Corwin argues that Congress has such power simply by virtue of its power to repeal its previous enactments (e. g. the Declaration of War). Also John M. Mathews, *The Termination of War* (19 Mich. Law Review 819).

So far as war legislation was concerned the question was finally resolved by the joint resolution of March 3, 1921 (Public Res. No. 64, ch. 136, 41 Stat. 1359).

The resolution of March 3, 1921, provided that the effective date of the resolution should be construed and treated as the date of the termination of the war or of the present or existing emergency in the interpretation of any acts of Congress, joint resolutions, or proclamations of President containing provisions contingent upon the duration or the date of the termination of the war or the present or existing emergency. Certain statutes, including the Trading with the Enemy Act of October 6, 1917, were excepted from the operation of the resolution.

2. EXPIRING ON THE CESSATION OF HOSTILITIES

The expressions "cessation of hostilities," "termination of hostilities," present difficulties of interpretation unless accompanied by provision for self-determination, such as determination or proclamation of the President, or resolution by the Congress. The cases previously cited distinguish the "cessation of hostilities" and the "conclusion of the war." (*McElrath v. United States*, 102 U. S. 426; *Hamilton v. Kentucky Distilleries Co.*, 251 U. S. 146; *Kahn v. Anderson*, 255 U. S. 1, 10.)

These cases indicate the "cessation of hostilities" ordinarily would occur prior to the date of the termination of the war. Certainly "cessation of hostilities" would not of itself terminate the state of war. The "cessation of hostilities" might be fixed by an armistice. Thus the armistice between the Allies and the Germans signed on November 11, 1918, provided for a "cessation of hos-

tilities by land and in the air 6 hours after the signing of the armistice" and an "immediate cessation of all hostilities at sea."

However, there is question as to whether an armistice is conclusive evidence of the cessation of hostilities. Judge Learned Hand in *Commercial Cable Co. v. Burleson* (255 Fed. 99, 104-107; S. D. N. Y., 1919), stated: "An armistice effects nothing but a suspension of hostilities; a war still continues. * * * Neither had hostilities ceased. * * * There were still military operations, the armistice had not been carried out, and after it was, armed forces of the United States were in occupation of enemy territory."

The situation surrounding an armistice and cessation of hostilities lends itself to uncertainty and difficulty in determining a date for expiration of legislation contingent upon a cessation of hostilities. This would be particularly true where Congress in the subject legislation provides no method for determining or evidencing of such a cessation. Unless Congress would provide for evidencing of a cessation, such as by proclamation of the President or resolution of the Congress, it would appear inevitable that uncertainty and confusion would ensue.

3. EXPIRING ON TERMINATION OF AN EMERGENCY

Another class of statutes are those effective during any period of national emergency, during the national emergency declared by the President on September 8, 1939, or during the national emergency declared by the President on May 27, 1941.

In view of the original declaration by the President, it would be logical to look toward him for a proclamation terminating the various emergencies, and thus terminating or suspending the statutory provisions dependent thereon. While it is reasonable to assume that the termination of the emergency period would be coterminous with the termination of the war, such a conclusion would not inevitably follow. For various reasons, the President might consider it desirable to continue the emergency after the termination of the war.

In view of the failure of ratification of the Versailles Treaty such a situation occurred following World War No. 1. The impasse was solved by the joint resolution of March 3, 1921, fixing March 3, 1921, as the date of the termination of the present or existing emergency in the interpretation of any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the present or existing emergency.

However, doubt existed as to the status of statutes conditional upon the existence of any emergency or national emergency or upon a time of peace. In response to the Secretary of the Navy's inquiry on such statutes, the Attorney General gave his opinion on April 11, 1921 (32 Op. Atty. Gen. 505). In this opinion, the Attorney General held the joint resolution applied to those statutory provisions which in general terms applied to any emergency or national emergency and included the present or existing emergency without specific reference thereto. Likewise the joint resolution affected those statutes relating to the Navy which relate in terms to time of peace, since time of war and time of peace are mutually exclusive. Congress by the joint resolution meant to declare a condition of peace to exist as to the laws of and governing the United States, and hence all laws and regulations depending for their force upon a state of war or emergency were of no further force.

4. EXPIRING ON A DAY CERTAIN

Because of the uncertainty manifest in the afore-mentioned classes of termination clauses, the Congress has resorted increasingly to provisions extending the legislation

for a fixed period (commonly 2 years, although other periods, such as 1 year have been employed).

No difficulty is presented by such provisions in ascertainment of the expiration of statutes containing such provisions.

5. VARIATION OF THE AFORE-MENTIONED CLAUSES WITH PROVISION FOR TERMINATION SUBSEQUENT TO THE BASIC CONTINGENCY

A large number of the statutes under consideration are effective for a fixed period (commonly 6 months, although other periods ranging from 3 to 18 months are also used) after the happening of a specified event. An example of such a provision is "the authority granted in this act shall remain in force during the continuance of the present war and for 6 months after the termination of the war." Once the basic contingency (i. e., the date of the termination of the war) is determined, the ascertainment of the date of the end of the additional period follows easily by simple calendar computation.

6. PROVISIONS IN THE ALTERNATIVE FOR TERMINATION PRIOR TO THE BASIC CONTINGENCY

Many of the statutes in addition to providing for termination upon the happening of a contingency, also provide for earlier termination as the Congress by concurrent resolution or the President may designate. Obviously, the date of such earlier termination, rests in the exercise of the discretion conferred by the specific statute, whether it be the Congress or the President.

The Judge Advocate General's Office is continuing its study of the problem raised by termination clauses with a view to determining what administrative or legislative action may be required in connection with the termination of the war. It is hoped that the foregoing incomplete discussion may prove of value to the Committee, and that you will feel free to call upon the Department for further development of any aspect of this problem or the preparation of legislation in connection therewith.

Sincerely yours,

FORRESTAL,
Secretary of the Navy.

AUGUST 21, 1944.

TEMPORARY LAWS RELATING TO THE NAVY, IN FORCE ON JULY 31, 1944

The following classes of temporary laws are not included in the attached list:

(a) Laws which authorize the construction, acquisition, or conversion of vessels for the Navy.

(b) Laws which authorize the appropriation of funds for essential equipment and facilities at private or naval establishments for the building and equipping of naval vessels, the alteration and repair of naval vessels, the manufacture of aircraft and aeronautical material, or the production of ordnance and munitions.

(c) Laws which authorize the appropriation of funds for construction of public works.

(d) Miscellaneous provisions contained in acts making appropriations for the Navy Department and the naval service for the fiscal year 1945.

FEDERAL AID FOR POST-WAR HIGHWAY CONSTRUCTION

The Senate resumed consideration of the bill (S. 2105) to amend and supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad grade crossings, to provide for the immediate preparation of plans and acquisition of rights-of-way, and for other purposes.

The ACTING PRESIDENT pro tempore. Consideration of amendments to Senate bill 2105 is in order.

Mr. HAYDEN. Mr. President, the Committee on Post Offices and Post Roads have been giving very careful consideration to the several amendments which were offered to the bill and printed, and have made considerable progress. I was asked by the committee to suggest that if they had a little more time they believe they could bring proposals to the Senate which would be satisfactory to the Senate. I think it would be advisable to allow the committee a little more time, and the Senate, in the meantime, might take up consideration of the calendar or some other business for a while today. Could that be done, I should like to ask the leaders?

Mr. BARKLEY. Of course, it is always in order to call the calendar, but I am wondering whether the members of the Committee on Post Offices and Post Roads, which is now in session, would be interested in the calendar, so that it would be unfair to them to call it in their absence?

Mr. HAYDEN. Mr. President, my judgment is that the committee will not complete consideration of the amendments today. There is one other suggestion which I should like to make, to see if it meets with approval. The suggestion is that we dispense with consideration of the road bill today and let it go over until tomorrow or until Friday, which will give the committee ample time to work the matter out, and that the Senate then resume consideration of the bill.

Mr. BARKLEY. Mr. President in response to the suggestion of the Senator from Arizona I should say that I believe time would really be saved by giving the committee ample opportunity and time to consider the amendments and to thresh them out. It may be that the committee's report to the Senate would be largely satisfactory to those who have offered the various amendments. We all realize that we have arrived at what may turn out to be the tail end of this session, at least for the present. It is increasingly difficult to keep a quorum in the two Houses of Congress under such conditions. Both sides of the House of Representatives have already entered into an agreement not to transact any other business after the conference reports on the reconversion and surplus property legislation are disposed of. We all know in the Senate how difficult it is to legislate wisely under present conditions.

I am perfectly willing to let the so-called road bill go over until Friday and to have the Senate recess until Friday, but if we can dispose of the calendar today—for many Senators are interested in disposing of the calendar before we shall disperse—I think it ought to be done in the interest of proposed legislation which has been reported to the Senate. I realize, as does the Senator from Arizona [Mr. HAYDEN], the difficulty of legislating at all under present conditions. If we cannot call the calendar today in justice to Senators who are not on the floor, or who are in committee, I

feel like stating that we will call it, or attempt to call it, before there is any recess or any adjournment of the Senate.

Mr. HAYDEN. For that matter, we can meet tomorrow for that purpose, or on Friday.

Mr. WHITE. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

Mr. WHITE. Mr. President, I think in the circumstances, there is much merit in the suggestion that the Committee on Post Offices and Post Roads, to which yesterday was rather committed the task of considering the various proposed amendments, should have further time for the consideration of and for decision with respect to these many amendments. I think probably that in the long run time will be saved by giving the committee time to complete that task now. I should very much dislike to see the calendar called now, without notice to Members of the Senate who are engaged in committee meetings, or who may be on conference committees, and other Senators who are not now in the Chamber. I agree with the distinguished majority leader that some time this week there ought to be a call of the calendar, and that there should be opportunity for disposition of measures on the calendar. However, I hope the Senator from Kentucky will not urge the consideration of measures on the calendar at this time.

Mr. BARKLEY. I do not intend to do so. I made the suggestion in the hope that we might save some time by calling the calendar now. However, I do not wish to take advantage of any Senator who is absent.

Let me explain also that, as I understand, the conferees on the surplus-property-disposition bill have practically agreed. They will not be able to formulate their agreement into language in time to take the matter up this week in the other body, where it must be considered first. I believe an effort is being made to have the report ready for consideration in the House next Monday.

The conferees on the reconversion and unemployment-compensation bill, known as the George bill, have practically reached an agreement on all but two items, upon which it is impossible for the conferees to agree. The House conferees have decided to take back to the House those two matters for further consideration on the part of the House, to determine whether the House will instruct its conferees either to yield or to adhere to the House amendment to the George bill. That disposition will also be postponed until Monday or Tuesday. The ability of the conferees on that legislation to get together may or may not depend upon the action of the House regarding the House amendments to the George bill. Whatever the action of the House may be, the conferees will meet again to consider the question. At any rate, we cannot hope to have that matter again before the Senate before early next week.

It is important and essential that Senators remain in Washington, because when either of these conference reports comes before the Senate for considera-

tion, any Senator can demand a yeand-nay vote, or he can demand a quorum. Certainly the Senate is not bereft of a sense of responsibility to a degree which would make it indifferent to the final disposition of this legislation at the earliest possible date. For that reason I am urging, with all the force at my command, that Senators remain in the city, where they will be available, until this legislation is completed. I hope that it will not be necessary to repeat this urging on my part, or on the part of any other Senator, with regard to the importance of this legislation. It would be a serious reflection upon the legislative process if, on measures of this kind, with respect to which all Senators are agreed that it is important to dispose of them as quickly as possible, we should find the Senate not in a position to act.

Mr. RUSSELL. Mr. President, because of confusion in the Chamber, I did not hear the statement of the Senator from Kentucky as to the disposition to be accorded Senate bill 2105.

Mr. BARKLEY. The suggestion has been made that the bill go over until Friday.

Mr. RUSSELL. I regret very much that we cannot proceed with the bill today. I cannot be present on Friday.

Mr. BARKLEY. I had hoped that we might dispose of the bill today; but the Senator from Arizona, who is in charge of the bill, requests further time for consideration by the committee of the amendments which have been submitted.

Mr. RUSSELL. I am delighted to know that the committee is going further into the question, which needs closer scrutiny. However, it will be impossible for me to be present on Friday.

Mr. BARKLEY. I regret that the Senator, who is one of the ablest legislators in the Senate, finds himself compelled to be absent on any day, and especially on Friday.

Mr. RUSSELL. I thank the Senator for the compliment he pays me. I wish it were deserved. Perhaps it will be impossible to dispose of the bill on Friday, and it may go over until next week.

Mr. BARKLEY. I do not know about that. If the committee should deal with the amendments in a reasonably satisfactory way, it might be possible to dispose of the bill this week.

Mr. HAYDEN. Mr. President, the committee has made considerable progress with respect to the amendments. I am sure that news will be quite pleasing to Senators who have submitted amendments. I believe it will be possible, with the committee giving its attention to the remainder of the amendments, to bring the bill before the Senate and have it considered without substantial opposition.

Mr. RUSSELL. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

Mr. RUSSELL. Has the committee considered the advisability of relating a part of the proposed expenditures in some way to the need to afford protection against a condition of unemployment?

Mr. HAYDEN. There was no amendment to that effect pending, and we have not yet reached that question.

The reason why I urged the consideration of the highway bill at this time was that I had been told by Senators interested in the conference reports, which deal with highly controversial matters, as Senators are aware, that it would not be possible to adopt the conference report on either measure—either the George bill relating to reconversion or the surplus-property bill—without having a quorum of the Senate present. That being true, and it being necessary to have a quorum present for those purposes, I thought we might profitably utilize the time in discussion and action upon the highway bill.

The suggestion I should like to make now, and what I should like to have agreed to by unanimous consent, is that if we are to pass the road measure over until Friday, let us have a print of the bill made for the information of the Senate. The print would indicate the changes recommended in the bill by the Committee on Post Offices and Post Roads.

Mr. RUSSELL. Mr. President, I have no disposition to object to the Senator's request. I think it is one which will expedite the proposed legislation. But I should like to inquire whether the Senator thinks the committee is likely to consider any amendment which might in some wise relate some part of this tremendous expenditure to a condition of unemployment in the country. I am now working on an amendment, which I am undertaking to prepare, which would provide for the expenditure of \$200,000,000 a year in any event, but would defer any further expenditures, although the projects could be planned and be made ready for action, dependent upon a condition involving unemployment to the extent of 4,000,000 persons. I hope to furnish to the Senator a copy of the amendment. It is a rather difficult one to draw.

Mr. HAYDEN. If the Senator could do so by tonight—it could be printed at any time—I should be very glad indeed to see that it is brought to the attention of the committee. If it were prepared and printed, I think it would be very helpful in the committee's consideration of the bill.

Mr. RUSSELL. I hope to have it ready for the committee in a short time.

Mr. HAYDEN. That will be desirable because the committee is sincerely interested in all phases of the matter. We want to report sound legislation which will meet with the approval of all Members of the Senate. After all, the committee is the servant of the Senate.

The ACTING PRESIDENT pro tempore. The Chair is informed that the Senator from Arizona or his committee can obtain a committee print without any action on the part of the Senate.

Mr. HAYDEN. I merely wished to make sure that, whatever we did, we would not have to go through a great many papers.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHERRY. I should like to ask the Senator if there are any amendments before the Senator's committee which is considering the pending bill which would restore the old formula, as we have known it for the past year.

Mr. HAYDEN. Oh, yes; there is an amendment which has been offered by the Senator from Virginia [Mr. Byrd].

Mr. WHERRY. Is the Senator and his committee giving that amendment the utmost consideration?

Mr. HAYDEN. It is receiving every consideration.

Mr. WHERRY. I thank the Senator.

THE CALENDAR

Mr. DANAHER. Mr. President, I ask unanimous consent that the Senate proceed to consider House bill 2509, Calendar No. 1096, a bill for the relief of Marie Engert.

The ACTING PRESIDENT pro tempore. The bill will be reported by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2509) for the relief of Marie Engert.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. DANAHER. Yes.

Mr. BARKLEY. After further consultation, and at the suggestion of a number of Senators, it seems that we might well proceed now to the call of the calendar. In doing so, we would reach the bill to which the Senator has referred.

Mr. DANAHER. Very well; I withdraw my request.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning at the end of the last call.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, the clerk will proceed to state the measures on the calendar, beginning at the end of the last call, which is Calendar No. 1047.

Does the Senator from Connecticut desire recognition?

Mr. DANAHER. No, Mr. President. The Senator from Kentucky cleared up the point to which I wished to refer.

The ACTING PRESIDENT pro tempore. Then the clerk will proceed to state the measures on the calendar, commencing with Calendar No. 1047.

BILLS PASSED OVER

The bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes was announced as first in order.

Mr. WHITE. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1218) to repeal the act of June 18, 1934, and for other purposes, was announced as next in order.

Mr. TUNNELL. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

EXEMPTION OF NATIONAL WAR LABOR BOARD OFFICERS AND EMPLOYEES FROM CERTAIN PROVISIONS OF CRIMINAL CODE

The Senate proceeded to consider the bill (S. 1780) to exempt certain officers

and employees of the National War Labor Board from certain provisions of the Criminal Code, which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 11, after the word "Board", to insert "or any of its said agencies"; and in line 12, after the word "Board", to insert "or for 90 days thereafter", so as to make the bill read:

Be it enacted, etc., That nothing contained in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) shall be deemed to apply to any person heretofore or hereafter appointed to the National War Labor Board or any of its agencies under the authority of the War Labor Disputes Act, any Executive order or regulation issued under the provisions of the act of October 2, 1942 (56 Stat. 765), or Executive Order Numbered 9017, dated January 12, 1942, as amended from time to time, because of intermittent service as a member of the National War Labor Board or of a regional board, industry, commission, tripartite panel or similar agency of the National War Labor Board, or as a hearing officer or arbitrator of such Board, if such person is serving or has served in such capacity without compensation, or with compensation on a per diem when actually employed basis for not in excess of 90 days a year: *Provided, however,* That the provisions of this act shall not apply to any representation before the National War Labor Board or any of its said agencies while such person is an officer or employee of the National War Labor Board or for 90 days thereafter.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2061) to provide a national program for war mobilization and post-war adjustment was announced as next in order.

Mr. WHITE. I ask that the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3187) to amend section 5, Public Law 140, Seventy-seventh Congress, was announced as next in order.

Mr. RUSSELL. Mr. President, may we have an explanation of this bill? If not, I ask that it go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PUNISHMENT OF PERSONS CONSPIRING TO VIOLATE COUNTERFEITING AND OTHER LAWS

The bill (S. 725) to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That chapter 7 of the Criminal Code, as amended (U. S. C., 1940 ed., title 18, ch. 7), is hereby further amended by adding at the end thereof the following section:

"SEC. 178a. If two or more persons conspire to violate any provision of this chapter, or of sections 205, 218, 219, or 220 of chapter 8 of the Criminal Code, as amended (U. S. C., 1940 ed., title 18, ch. 7, and secs. 328, 347, 348, and 349 of ch. 8), or of the act of August 26, 1935 (49 Stat. 886; U. S. C., 1940 ed., title 18, sec. 349a), and one or more of such

persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall, on conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for violating such provision."

BILLS PASSED OVER

The bill (H. R. 3592) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases and for other purposes was announced as next in order.

Mr. WHITE. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3750) to provide for the appointment of an additional circuit judge for the third circuit, and to permit the filling of the first vacancy occurring in the office of district judge for the eastern district of Pennsylvania was announced as next in order.

Mr. DANAEHER. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

ARVO KARI, LEMPI K. HOLM, AND BURT JOHNSTON

The bill (H. R. 2792) for the relief of Arvo Kari, Lempi K. Holm, and Burt Johnston was considered, ordered to a third reading, read the third time, and passed.

DR. E. S. AXTELL

The bill (S. 1942) for the relief of Dr. E. S. Axtell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. E. S. Axtell, of Rantoul, Ill., the sum of \$398, in full satisfaction of his claim against the United States for compensation for services rendered the United States Engineer Office, Louisville, Ky., in conducting physical examinations of prospective civilian employees of the United States, such claim having been disallowed by the Comptroller General on the ground that payment for such examinations was not authorized by law: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

DEWEY H. DAVIS

The Senate proceeded to consider the bill (S. 1392) for the relief of Dewey H. Davis, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$10,000", and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dewey H. Davis, of Macon, Ga., the sum of \$5,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as the result of an accident which occurred when the passenger bus in which he was riding was struck by a United

States Army truck near Robins Field, Ga., on July 7, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GORDON LEWIS COPPAGE

The Senate proceeded to consider the bill (S. 1987) for the relief of Gordon Lewis Coppage, which had been reported from the Committee on Claims, with amendments, on page 1, line 6, after the words "sum of", to strike out "\$4,197.47" and insert "\$1,535.07"; and on page 2, line 2, after the word "expenses", to strike out "and other losses", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gordon Lewis Coppage, of Chicago, Ill., the sum of \$1,535.07, in full satisfaction of his claim against the United States for compensation for personal injuries and damage to personal property sustained by him when the truck which he was driving was struck by a Navy ambulance at the intersection of Bryn Mawr and Central Avenues in Chicago, Ill., on December 4, 1943, and for reimbursement of medical and hospital expenses sustained by him as a result of such injuries and damage: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERNEST A. GROTTKE

The bill (H. R. 3496) for the relief of Ernest A. Grottke was considered, ordered to a third reading, read the third time, and passed.

MARY HERTZ

The bill (H. R. 527) for the relief of Mary Hertz was considered, ordered to a third reading, read the third time, and passed.

JOHN SALFI

The bill (H. R. 2387) for the relief of John Salfi was considered, ordered to a third reading, read the third time, and passed.

TRESSIE SPRING AND MRS. HAZEL STUTTE

The bill (H. R. 3033) for the relief of Tressie Spring and Mrs. Hazel Stutte was considered, ordered to a third reading, read the third time, and passed.

MRS. GRACE PAGE

The bill (H. R. 3038) for the relief of Mrs. Grace Page was considered, ordered to a third reading, read the third time, and passed.

R. GUY DORSEY

The bill (H. R. 3296) for the relief of R. Guy Dorsey was considered, ordered to a third reading, read the third time, and passed.

RALPH W. COOLEY

The bill (H. R. 3464) for the relief of Ralph W. Cooley was considered, ordered to a third reading, read the third time, and passed.

PERLEY M. SILVER

The bill (H. R. 1708) for the relief of Perley M. Silver was considered, ordered to a third reading, read the third time, and passed.

LEOLA EVANS

The Senate proceeded to consider the bill (S. 1784) for the relief of Leola Evans, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$5,000" and insert "\$3,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leola Evans, of Columbus, Ga., the sum of \$3,000, in full satisfaction of her claim against the United States for compensation for the death of her husband, James Evans, who died as a result of injuries sustained by him when a truck driven by him was struck by a United States Army tank at Fort Benning, Ga., on August 21, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALEX WYLIE

The Senate proceeded to consider the bill (S. 1785) for the relief of Alex Wylie, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$1,500" and insert "\$1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alex Wylie, of Columbus, Ga., the sum of \$1,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when the truck in which he was a passenger was struck by a United States Army tank at Fort Benning, Ga., on August 21, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwith-

standing. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR M. SELLERS

The Senate proceeded to consider the bill (S. 1732) for the relief of Arthur M. Sellers, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$10,000" and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur M. Sellers, of Baxley, Ga., the sum of \$5,000, in full satisfaction of his claim against the United States for compensation for the death of his son, Walter R. Sellers, who died as a result of personal injuries sustained by him when the passenger bus in which he was riding collided with a United States Army vehicle near Alenhurst, Ga., on April 24, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MAMIE DUTCH VAUGHN

The Senate proceeded to consider the bill (S. 1869) for the relief of Mrs. Mamie Dutch Vaughn, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$10,000" and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mamie Dutch Vaughn, of Tattall County, Ga., the sum of \$5,000, in full satisfaction of her claim against the United States for compensation for the death of her minor daughter, Gladys Vaughn, who was killed on the night of April 23, 1943, in Liberty County, Ga., when the bus on which she was riding was struck by a motor vehicle driven by a soldier in the Army of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. AMY MCKNIGHT

The bill (S. 1959) for the relief of Mrs. Amy McKnight was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Amy McKnight, widow of George McKnight, a former employee of the War Department at Fort Peck, Mont., whose death on February 20, 1936, is alleged to have resulted from pneumonia contracted while in the performance of duty prior to February 12, 1936, and the United States Employees' Compensation Commission is authorized to receive and consider her claim under the remaining provisions of the said act: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

HERMAN PHILYAW

The Senate proceed to consider the bill (S. 2008) for the relief of Herman Philyaw which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$1,000" and insert "\$650", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Philyaw, of Tate, Ga., the sum of \$650, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by an Army vehicle as a result of an accident which occurred in Tate, Ga., on January 23, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

C. C. THORNTON

The bill (S. 1766) for the relief of C. C. Thornton was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Thornton, of Walnut, Miss., the sum of \$2,000, in full satisfaction of his claims against the United States for compensation for personal injuries and property damage sustained by him when the wagon in which he was riding was struck by a Civilian Conservation Corps truck on September 20, 1941, near Walnut, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor

and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

LUM JACOBS

The Senate proceeded to consider the bill (S. 2007) for the relief of Lum Jacobs, which had been reported from the Committee on Claims with an amendment, on page 2, line 1, after "October 2", to strike out "1942" and insert "1943", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lum Jacobs, of Wills Point, Tex., the sum of \$1,030, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, and for loss of wages because of such injuries, as a result of an accident which occurred when the wagon in which he was riding was struck by an Army vehicle near Wills Point, Tex., on October 2, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOEL A. HART

The Senate proceeded to consider the bill (S. 1557) for the relief of Joel A. Hart, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "\$600" and insert "300"; on line 7, to strike out the word "for" and insert "or"; and on line 8, to strike out "being deprived of" and insert "losing", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joel A. Hart, of Milton, Fla., the sum of \$300, in full satisfaction of his claims against the United States for compensation or damages sustained and expenses incurred by him as a result of his losing the use of his property when he was required to vacate such property pursuant to a notice erroneously served upon him in connection with the condemnation by the United States of certain land in Dixie County, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. A. SMOOT, INC.

The Senate proceeded to consider the bill (S. 1922) for the relief of W. A. Smoot, Inc., which had been reported from the Committee on Claims with an

amendment, on page 1, line 6, after the words "sum of", to strike out "\$2,417.19" and insert "\$1,210", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. A. Smoot, Inc., Alexandria, Va., the sum of \$1,210. The payment of such sum shall be in full settlement of all claims of the said W. A. Smoot, Inc., against the United States for damages caused to its lumber and millwork plant located at Cameron and Union Streets, Alexandria, Va., as the result of an explosion on March 2, 1944, in a nearby building used and occupied by the Records Division of The Adjutant General's Office of the Department of War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BYRD subsequently said: Mr. President, has Order No. 1083, Senate bill 1922, a bill for the relief of W. A. Smoot, Inc., been passed?

The PRESIDING OFFICER. The bill was passed.

Mr. BYRD. I ask unanimous consent that the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed be reconsidered, and that the bill be restored to the calendar. I wish to prepare an amendment, and I should like to have the bill remain on the calendar.

The PRESIDING OFFICER. Without objection, the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed are reconsidered, and the bill will be restored to the calendar.

MRS. SOPHIA TANNENBAUM

The Senate proceeded to consider the bill (S. 1897) for the relief of Mrs. Sophia Tannenbaum, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$10,000" and insert "\$5,327.45", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Sophia Tannenbaum, of University City, Mo., the sum of \$5,327.45, in full satisfaction of all claims against the United States arising out of the death of her husband, Morris Tannenbaum, who died as the result of injuries sustained by him on February 13, 1943, when a United States Army truck struck another vehicle which struck the said Morris Tannenbaum: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH SCARPELLA AND DOROTHY SCARPELLA

The bill (H. R. 2390) for the relief of Joseph Scarpella and Dorothy Scarpella

was considered, ordered to a third reading, read the third time, and passed.

IRMA S. SHERIDAN

The bill (S. 2069) for the relief of Irma S. Sheridan, postmaster at Rockville, Oreg., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized and directed to credit the account of Irma S. Sheridan, postmaster at Rockville, Oreg., in the sum of \$150, representing the amount in which the postmaster's account was disallowed because, through a misunderstanding, the postmaster was authorized to employ the assistant postmaster upon a mail-messenger route at the rate of \$450 per annum, although the act of June 3, 1924 (43 Stat. 356; 39 U. S. C. 579), limits the compensation which may be paid to postmasters, assistant postmasters, and clerks of post offices of the third and fourth classes to \$300 in any 1 year for contract mail-messenger service, it being established that the route is a very difficult one upon which the services of a mail messenger have been exceedingly hard to obtain.

AUTHORITY TO COMPROMISE CERTAIN INDEBTEDNESS

The bill (S. 1688) to authorize the Governor of the Farm Credit Administration and the Secretary of Agriculture to compromise, adjust, or cancel certain indebtedness, and for other purposes, was announced as next in order.

Mr. RUSSELL. Mr. President, may we have an explanation of the bill?

Mr. SHIPSTEAD. What is the number of the bill?

The ACTING PRESIDENT pro tempore. It is Calendar No. 1087, Senate bill 1688.

Mr. BUSHFIELD. Mr. President, I was one of the sponsors of the bill. It is a bill to enable compromise settlements to be made on the old seed and feed loans which were made a number of years ago throughout the country. The bill has been submitted to the Department of Agriculture and has the approval of the Department. It comes to the Senate after approval by the Committee on Agriculture and Forestry.

Mr. RUSSELL. Mr. President, my request for an explanation was caused by curiosity as to what loans the bill related to, and how far back it would extend. I realize that in connection with some of the old crop seed loans there should be authority to compromise, but I did not desire to have any general power or authority granted to the Farm Credit Administration to compromise obligations. Does the Senator recall the years in which the loans were made?

Mr. BUSHFIELD. Offhand, I am unable to do so.

Mr. RUSSELL. If the Senator will permit the bill to go over temporarily until I can examine the report of the committee, I shall have no objection to it being called up again.

Mr. SHIPSTEAD. Mr. President, this matter came up in the Senate some years ago. I think that if the Senator from Georgia will make an investigation, he will find that the loans were made during the period of drought in 1934 and 1935.

Mr. RUSSELL. If the Senator from Minnesota is sure that the bill relates only to loans made in those years, I shall have no objection.

Mr. SHIPSTEAD. I will not say definitely to what it refers, but I presume that the issue is the same as that we had before us some years ago, and the Senate refused to grant authority to compromise or cancel the loans. In my opinion, they should have been canceled a long time ago, because those who suffered in the drought were made destitute, and collectors went into the section of the country where the borrowers lived and grabbed anything they could get. As a matter of fact, there has been a great deal of what amounted almost to persecution in the collection of the old debts. While those affected borrowed money for seed loans, they did not get any crops from the seed. People have written to me that seed loans had accumulated, with interest, amounting to hundreds of dollars, which the Federal Government thought they should pay, while others, who made no loans because they had no farms, were living on relief, and were getting cash to enable them to live, when those who borrowed were trying to raise crops, but could not raise any. I believe that if it is confined to those years, the bill should be passed, but at the moment I cannot say. I have not read the bill for some time.

The ACTING PRESIDENT pro tempore. The Senator from Georgia [Mr. RUSSELL] has asked that the bill be passed over temporarily. The bill will be temporarily passed over.

Mr. RUSSELL subsequently said: Mr. President, I have hurriedly examined Senate bill 1688, providing for cancellation of certain indebtedness to the Department of Agriculture. I have no objection to legislation which would provide for the adjustment or cancellation of indebtedness heretofore created. My objection was to conferring any power upon the Secretary of Agriculture to cancel, adjust, or compromise any indebtedness which may be entered into in the future. I believe that it would be very unwise for us to extend any such power.

There is only one provision in the bill which could possibly confer such power. I refer, on page 8, line 20, to the words "or hereafter enacted." If those words were stricken from the bill I would have no objection to the bill being passed.

Mr. President, on page 8, line 20, after the word "heretofore", I wish to offer an amendment, to strike out "or hereafter enacted."

Mr. DANAHER. Mr. President, I have no objection to the amendment, but I wish on my own behalf to offer an amendment to the bill.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. GILLETTE. Mr. President, I object to the present consideration of the bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. DANAHER. Mr. President, I wish to have the RECORD show that had we considered the bill I would have offered

an amendment to insert "A complete report to Congress shall be made at intervals of 6 months of all settlements, cancellations, or adjustments authorized by this act."

HENRY WHITE

The ACTING PRESIDENT pro tempore. The next bill on the calendar will be stated.

The Senate proceeded to consider the bill (H. R. 2707) for the relief of Henry White, which had been reported from the Committee on Immigration, with an amendment, on page 1, line 8, after the word "States", to insert "Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the Chinese of the first year that the said quota is available."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAUL SZELIGA

The bill (H. R. 2134) for the relief of Paul Szeliga was considered, ordered to a third reading, read the third time, and passed.

FREDA UTLEY

The bill (H. R. 312) for the relief of Freda Utley was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONALITY ACT OF 1940 IN RESPECT TO CERTAIN NATURALIZATION FEES

The bill (H. R. 3722) to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of certificates of arrival, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONALITY ACT OF 1940 IN RESPECT TO COPIES OF RECORDS

The bill (H. R. 1680) to amend the Nationality Act of 1940 to permit the Commissioner to furnish copies of any part of the records or information therefrom to agencies or officials of a State without charge, was considered, ordered to a third reading, read the third time, and passed.

MARIE ENGERT

The bill (H. R. 2509) for the relief of Marie Engert was considered, ordered to a third reading, read the third time, and passed.

DR. FRANK K. BOLAND, SR.

The Senate proceeded to consider the bill (S. 1853) for the relief of Dr. Frank K. Boland, Sr., which had been reported from the Committee on Claims, with an amendment on page 1, line 6, after the words "the sum of", to strike out "\$3,000" and insert "\$2,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Frank K. Boland, Sr., of Atlanta, Ga., the sum of \$2,000,

in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as the result of an accident which occurred when the automobile in which he was riding was struck by a United States Army truck near Mabelton, Ga., on February 11, 1943: Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUTHORIZATION TO CERTAIN EMPLOYEES OF THE GENERAL LAND OFFICE TO ADMINISTER OATHS, ETC.

The bill (S. 1062) to authorize certain employees of the General Land Office to administer or take oaths, affirmations, affidavits, or depositions in the performance of their official duties, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the authority to administer or take oaths, affirmations, affidavits, or depositions, whenever necessary in the performance of their official duties, is hereby granted to field examiners and other employees of the General Land Office designated by the Commissioner of the General Land Office, Department of the Interior, for that purpose.

MOORES CREEK NATIONAL MILITARY PARK

The bill (H. R. 3384) to authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CREDIT IN CERTAIN HOMESTEAD ENTRIES FOR MILITARY OF NAVAL SERVICE

The bill (H. R. 5025) to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2, was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF DULUTH, MINN.

The Senate proceeded to consider the bill (S. 1807) authorizing and directing the Secretary of the Interior to convey certain land to the city of Duluth, Minn., which had been reported from the Committee on Public Lands and Surveys, with amendments.

The first amendment was, on page 3, line 4, after the word "meridian", to strike out "Provided, That the land authorized to be conveyed hereunder shall be used for the construction of and be maintained as a public highway free of any expense to the United States, and all work thereon shall be such as not to interfere with the operations and efficiency of the fisheries station and in a manner satisfactory to the Secretary of the Interior: Provided further, That in the event of

the discontinuance by the city of Duluth of the use of the above-described property as a public highway or the failure to maintain same in a manner satisfactory to the Secretary of the Interior, the title of said land shall revert to the United States" and insert "The said conveyance to the city of Duluth shall be made subject to the conditions that the land be used for the construction of and maintenance of a public highway free of any expense to the United States, that the highway be constructed and maintained so as not to interfere with the operations of and access to the fish hatchery station, and that in the event of the discontinuance by the city of Duluth of the use of the above-described property as a public highway, or upon failure to maintain the same in accordance with the conditions of the deed, title to said land shall revert to the United States."

The amendment was agreed to.

The next amendment was, at the top of page 2, to insert the following new section:

SEC. 2. Nothing herein contained shall affect the applicability of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), as amended, to the public highway to be constructed on the land authorized to be conveyed hereunder.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the city of Duluth, Minn., the following-described land, now a part of the fisheries station in said city: Beginning at a point on the east line of Sixtieth Avenue East in the city of Duluth, State of Minnesota, said point lying forty-three and four one-hundredths feet in a northerly direction from a point at the intersection of the center line of London Road, extended with the said east line of Sixtieth Avenue East; thence extending in an easterly direction at an angle of sixty-six degrees and fifteen minutes to the left of said east line of Sixtieth Avenue East a distance of sixty-one and fifty-seven one-hundredths feet to a point of curve; thence continuing on a curve to the left whose radius is one thousand three hundred and forty-five and seven-tenths feet a distance of three hundred and sixty-four and eighteen one-hundredths feet, to the center line of Lester River as now located; thence in a southeasterly direction along the center line of said Lester River a distance of one hundred and thirty-two and thirty-six one-hundredths feet to a point; thence westerly parallel to the curve above described and distant therefrom one hundred and twenty feet, a distance of one hundred and seventy-eight and twenty one-hundredths feet to a point; thence northerly on a radial line a distance of eight and five-tenths feet to a point; thence westerly parallel to the curve first above described and distant therefrom one hundred and eleven and five-tenths feet a distance of two hundred and seventy-eight and ten one-hundredths feet to a point of tangency; thence westerly on a tangent line a distance of twelve and fifty-one one-hundredths feet to a point on the east line of Sixtieth Avenue East; thence northerly on said east line of Sixtieth Avenue East a distance of one hundred and twenty-one and eighty-two one-hundredths feet to a point of beginning and there terminating, containing an area of one and one-hundred-and-seventy-six one-thousandths acres; said land being located in sections 5 and 8, town-

ship 50 north, range 13 west, of the fourth principal meridian. The said conveyance to the city of Duluth shall be made subject to the conditions that the land be used for the construction of and maintenance of a public highway free of any expense to the United States, that the highway be constructed and maintained so as not to interfere with the operations of and access to the fish hatchery station, and that in the event of the discontinuance by the city of Duluth of the use of the above-described property as a public highway, or upon failure to maintain the same in accordance with the conditions of the deed, title to said land shall revert to the United States.

SEC. 2. Nothing herein contained shall affect the applicability of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), as amended, to the public highway to be constructed on the land authorized to be conveyed hereunder.

EXTENSION OF CERTAIN OIL AND GAS LEASES

The bill (S. 2111) to provide for the extension of certain oil and gas leases, was announced as next in order.

Mr. McKELLAR. Mr. President, may I ask if the bill in any way refers to the Elk Hills or Teapot Dome area?

Mr. O'MAHONEY. Oh, no. It deals only with 5-year leases. The purpose of the bill is to afford an additional year's time to operators who have complied with the law but have not yet brought in necessary production.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last sentence in the first section of the act entitled "An act to grant a preference right to certain oil and gas leases," approved July 29, 1942, as amended, is hereby amended to read as follows: "The term of any 5-year lease expiring prior to December 31, 1945, maintained in accordance with the applicable statutory requirements and regulations and for which no preference right to a new lease is granted by this section, is hereby extended to December 31, 1945."

FEES AND COSTS IN CIRCUIT COURT OF APPEALS

The Senate proceeded to consider the bill (H. R. 1569) to amend the act entitled "An act to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes," approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543), which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 5, after the word "appeals", to insert "and in the United States Circuit Court of Appeals for the District of Columbia."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FEES IN DISTRICT COURTS OF THE UNITED STATES

The bill (H. R. 1623) to amend an act entitled "An act to provide fees to be charged by clerks of the district courts

of the United States," approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548-555), was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. That completes the calendar.

FOREIGN SERVICE BY MEMBERS OF THE NAVY WOMEN'S RESERVE

Mr. WALSH of Massachusetts. Mr. President, from the Committee on Naval Affairs, I report favorably, with amendments, Senate bill 2028, and I submit a report (No. 1089) thereon. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be received, and the bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2028) to amend the Naval Reserve Act of 1938, as amended, so as to permit foreign service of members of the Women's Reserve under certain conditions.

Mr. WALSH of Massachusetts. Mr. President, I wish to make a statement with regard to the bill.

The bill relates to foreign service of the WAVES. There has been a great deal of controversy on the subject because of differences between members of the Committee on Naval Affairs of the House of Representatives, and members of the Committee on Naval Affairs of the Senate. The Committee on Naval Affairs of the House of Representatives has recommended granting to the Women's Auxiliary of the Navy—the WAVES—the right of foreign service in the European area. The Committee on Naval Affairs of the Senate has expressed its opposition to granting to the WAVES the right of foreign service in the European area on the ground that there is only one major naval station where the WAVES could be used, and that a great deal of expense would be involved, and considerable trouble would be experienced in providing adequate quarters for the WAVES in London. The Navy is different from the Army in that its activities are at sea, while the activities of the Army are confined to land. The fact that the WAC's have been granted permission to be sent to any part of the world has led to a movement on the part of those interested in the WAVES to be given like permission. As a result of this discussion and controversy, or difference of opinion, a compromise has been reached by the Committee on Naval Affairs of the Senate and the Committee on Naval Affairs of the House, due to a special request made by the Navy Department which I will read with the permission of the Senate.

Mr. MAYBANK. Mr. President, would the Senator mind my asking him a question at that point?

Mr. WALSH of Massachusetts. I am glad to yield.

Mr. MAYBANK. I should like to ask the distinguished Senator from Massachusetts if the service of the WAVES on foreign duty is to be purely voluntary?

Mr. WALSH of Massachusetts. The bill provides that they may not be sent to Hawaii without their consent.

Mr. MAYBANK. In other words, such service would be purely voluntary.

Mr. WALSH of Massachusetts. That is correct.

Mr. MAYBANK. I thank the Senator.

Mr. WALSH of Massachusetts. The Committee on Naval Affairs were informed that Admiral Nimitz, the commander in chief of the Pacific Fleet and the Pacific Ocean area, stated that 332 male officers and 4,906 male enlisted personnel could be relieved by women in the Hawaiian Islands, and that the male personnel so relieved could be immediately made available for sea duty or for duty on the small islands and atolls in this area. The committee understand that housing and other facilities for the accommodation of the members of the Women's Reserve are available in the Hawaiian area.

Since members of the Women's Reserve were enrolled on the assumption that they would not be assigned to duty beyond the continental limits of the United States, the committee feel that they should not now be so assigned without their consent, and have provided in the bill that they may be assigned to duty at naval stations outside the continental limits of the United States but in the American area, and in the Territories of Hawaii and Alaska, only upon their prior consent.

This bill merely responds to the appeal made to the committee by the Navy Department, and provides that members of the Women's Reserve may, under the direction of the Navy Department, be sent to the Hawaiian area.

I note that the Senator from Iowa has risen and probably desires to ask me a question. If he does I shall be glad to yield to him.

Mr. GILLETTE. I thank the distinguished Senator from Massachusetts. As he knows, there was in the Naval Affairs Committee of the Senate a strong majority opinion in opposition to the proposal to authorize or allow foreign service for members of the Women's Reserve. As the Senator also knows, the Department has from time to time changed its viewpoint as presented to the Naval Affairs Committee. It was not long ago that request was made that we approve legislation to allow sending the WAVES to the European area. Now I understand that Department has taken another position and is willing to have the service limited to the Hawaiian area, and I further understand that the amendment which is to be offered by the chairman of the committee provides that service in Hawaii and in the Western Hemisphere shall be voluntary. The chairman of the committee also is well aware that members of the House committee have taken a different viewpoint, and have insisted that the doors be thrown wide open to foreign service.

I may say, Mr. President, to the distinguished chairman of the committee that I am not disposed to oppose the amendment as presented, if the chairman of the committee, within the limits of course of his position, can give us any assurance that it will not be thrown out in conference committee between the two Houses.

If assurance can be given that the amendment will be accepted, I should like to have him give such assurance if he can.

Mr. WALSH of Massachusetts. The distinguished Senator from Iowa has expressed the views on this subject of a large majority of the Committee on Naval Affairs. As he has well stated, there has been a strong feeling in the committee that the WAVES should be confined to service in continental United States, and that a sufficiently strong case was not made for sending them abroad, for the reasons I have given. There has been a good deal of feeling that the WAVES should have the same legislation that the WAC's have, but there has been lack of understanding or failure to appreciate that the naval service is primarily sea service. Except in very rare instances no man can be accepted for service in the Navy who is not able to go to sea, who cannot go to sea, and who is not willing to go to sea. So there is a different situation in the case of the WAVES than that which prevails in the case of the WAC's.

Now let me answer the question. I know the distinguished Senator from Florida [Mr. ANDREWS] feels as the Senator from Iowa and others feel. The final compromise was reached after a meeting between the acting chairman of the Committee on Naval Affairs of the House, myself, and the Secretary of the Navy; and it is my understanding that when this bill is passed with the amendment now proposed the Naval Affairs Committee of the House will recommend its adoption without going to conference on the amendment. That would dispose of the objection which the distinguished Senator from Iowa had and which I myself had.

Now why should this bill be passed at the present time? During the past week the Secretary of the Navy has appealed to me at least three times about this bill. The House will meet in all probability only on one day when legislation of this kind may be considered before a recess is taken, and that will be on Monday. That is why it is important to take action now on the bill.

I want to say that I think the members of the Committee on Naval Affairs have been very considerate and have tried to go a long way to meet the wishes of the Navy Department, although there have been very strong feelings in opposition to legislation permitting WAVES to go outside the United States.

Mr. ANDREWS. Mr. President—

Mr. WALSH of Massachusetts. I am glad to yield to the Senator from Florida.

Mr. ANDREWS. I should like to ask the distinguished chairman of the committee if there is an estimate of the number that would be required?

Mr. WALSH of Massachusetts. Admiral Nimitz states that 332 male officers and 4,906 male enlisted personnel can be relieved by sending members of the Women's Reserve to the Hawaiian Islands, and I assume the same number of members of the Women's Reserve would be sent to take the place of the officers and enlisted personnel who would be assigned to other duty elsewhere.

That number, I understand, would be the maximum.

Mr. ANDREWS. There is one question I have raised to which I think no reference has been made. I believe it to be conceded that naval operations in the Atlantic have been carried on to a greater extent than anywhere else in the world. In view of the present situation in Europe, if Germany should be defeated within the next few weeks, the personnel of the Navy in the Atlantic would be in such position that a number of men could be spared, because there would be no more fighting in the Atlantic, and it has occurred to me that they could well be used in the Pacific.

Mr. WALSH of Massachusetts. That has been thought of and considered by the Navy and by the Committees on Naval Affairs. In my opinion, it will be many days before there will be a reduction in the personnel of the Navy, notwithstanding the ending of the war in Europe. The officers and men of the Navy who are now serving in the Atlantic will be immediately transferred to the Pacific. The Navy Department represents to me that notwithstanding the situation suggested by the Senator from Florida, the Women's Reserve are needed in Hawaii. I know the Department appreciates the Senator's views and the views of other members of the committee, and I think they should be commended for making a compromise of their original views in order to comply with the pressing request of the Navy Department.

Mr. President, in connection with my remarks I ask that the report submitted by the committee on the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The report (No. 1089) is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 2028) to amend the Naval Reserve Act of 1938, as amended, so as to permit foreign service of members of the Women's Reserve under certain conditions, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

Members of the Women's Reserve established under the Naval Reserve Act of 1938 and the Women's Reserve established under the Coast Guard Auxiliary and Reserve Act of 1941, are restricted to the performance of duty within the continental limits of the United States. They may not be assigned to duty on board vessels of the Navy or the Coast Guard, or on combat aircraft.

The purpose of the present bill, as amended by the committee, is to modify existing restrictions so as to permit their assignment to duty in the American area and in the Territories of Hawaii and Alaska.

The committee were informed that Admiral Nimitz, commander in chief of the Pacific Fleet and Pacific Ocean area, states that 332 male officers and 4,906 male enlisted personnel can be relieved by women in the Hawaiian Islands, and that the male personnel so relieved could be immediately made available for sea duty, or for duty on the small islands and atolls in this area. The committee understand that housing and other facilities for the accommodation of the members of the Women's Reserve are available in the Hawaiian area.

Since members of the Women's Reserve were enrolled on the assumption that they

would not be assigned to duty beyond the continental limits of the United States, the committee feel that they should not now be so assigned without their consent, and have provided in the present bill that they may be assigned to duty at naval stations outside the continental limits of the United States but in the American area, and in the Territories of Hawaii and Alaska, only upon their prior consent.

Attached hereto, and made a part of this report, is a letter addressed to the chairman of the committee by the Secretary of the Navy, dated September 5, 1944:

THE SECRETARY OF THE NAVY,
Washington, September 5, 1944.

HON. DAVID I. WALSH,
Chairman, Senate Naval Affairs Committee, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: In my letter to you dated June 22, 1944, I expressed my interest in the legislation to remove the present provision of law which restricts members of the Women's Reserve to shore duty within the continental limits of the United States.

A recent communication from Admiral Nimitz, commander in chief of the Pacific Fleet and Pacific Ocean areas, discloses that the replacement of 332 male officers and 4,906 male enlisted personnel can be effected in the Hawaiian Islands if this proposal should become a law. The male personnel could immediately be made available for sea duty and for duty on the small islands and atolls.

In the event of enactment of this legislation it is my intention that members of the Women's Reserve not be assigned to duty in Europe. Also, I should like to reiterate my assurance to you that WAVES will not be ordered outside the continental United States until adequate housing facilities are available for them prior to their departure, and that each such assignment will be on a voluntary basis. These assurances are already set forth in the printed hearings.

The Navy Department believes that removal of the aforementioned restriction is essential to the war effort, and in the consideration of S. 2028 by your committee I urgently recommend favorable action thereon in the interest of the entire Naval Establishment.

Sincerely yours,
JAMES FORRESTAL,
Secretary of the Navy.

Mr. WHITE. Mr. President, I am not familiar with the details of this proposed legislation, but I have an understanding that it comes before the Senate in amended form as a result of compromise efforts of the Naval Affairs Committee.

Mr. WALSH of Massachusetts. And in conjunction with the Naval Affairs Committee of the House of Representatives.

Mr. WHITE. It comes before the Senate with the approval of the naval authorities, I take it to be?

Mr. WALSH of Massachusetts. Absolutely; not only with their approval but with their urgent request for action.

Mr. WHITE. I think I am justified in saying that I think it comes here with the approval of some members at least of the Naval Affairs Committee of the House?

Mr. WALSH of Massachusetts. Yes.

Mr. WHITE. We all have to accustom ourselves to the acceptance of compromises in legislative bodies. I would go much further than the proposed legislation goes, but I think it would be a calamity not to accept the compromise in the spirit in which it is offered, and I hope very much that the bill will be passed.

Mr. WILLIS. Mr. President, I should like to ask the chairman of the Committee on Naval Affairs whether the bill, while it provides that members of the WAVES cannot be sent to Hawaii without their consent, would relate to new enlistees or inductees. Would they be obliged to go?

Mr. WALSH of Massachusetts. In my judgment, they would be. Those who have enlisted up to this time enlisted with the understanding that their services would be confined to the continent of the United States. From now on they would understand that they might be sent to Hawaii.

Mr. WILLIS. Does the Senator feel this would not have an adverse effect on future enlistments?

Mr. WALSH of Massachusetts. There is a two-sided judgment on that question. Many think that the fact that we have a statute preventing the sending of WAVES outside the continent has been helpful to enlistments; and, indeed, the enlistment record of the Navy Women's Auxiliary has been much better than that of the Army Auxiliary. Others say that there would have been more enlistments. So it is a disputed question.

Mr. WILLIS. I thank the Senator for his opinion in the matter.

Mr. WALSH of Massachusetts. Mr. President, I ask that the bill be considered.

There being no objection, the Senate proceeded to consider the bill (S. 2028) to amend the Naval Reserve Act of 1938, as amended, so as to permit foreign service of members of the Women's Reserve under certain conditions, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and insert:

That section 504 of title V—Women's Reserve, of the Naval Reserve Act of 1938, added by the act entitled "An act to expedite the war effort by releasing officers and men for duty at sea and their replacement by women in the Shore Establishment of the Navy, and for other purposes," approved July 30, 1942 (56 Stat. 730; U. S. C., 1940 ed., Supp. III, title 34, sec. 857c), is amended to read as follows:

"SEC. 504. Members of the Women's Reserve shall not be assigned to duty on board vessels of the Navy or in aircraft while such aircraft are engaged in combat missions and shall not be assigned to duty outside the American area and the Territories of Hawaii and Alaska, and may be assigned to duty outside the continental United States only upon their prior request."

SEC. 2. Section 404 of title IV—Women's Reserve, of the Coast Guard Auxiliary and Reserve Act of 1941, as added by the act entitled "An act to amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended, so as to expedite the war effort by providing for releasing officers and men for duty at sea, and their replacement by women in the Shore Establishment of the Coast Guard, and for other purposes," approved November 23, 1942 (56 Stat. 1020; U. S. C. 1940 ed., Supp. III, title 14, sec. 384), is amended to read as follows:

"SEC. 404. Members of the Women's Reserve shall not be assigned to duty on board vessels of the Navy or Coast Guard or in aircraft while such aircraft are engaged in combat missions and shall not be assigned to duty outside the American area and the Territories of Hawaii and Alaska, and may be

assigned to duty outside the continental United States only upon their prior request."

SEC. 3. As used in this act the term "American area" means the area geographically defined as follows:

"East boundary—From the North Pole, south along the seventy-fifth meridian west longitude to the seventy-seventh parallel north latitude, thence southeast through Davis Strait to the intersection of the fortieth parallel north latitude and the thirty-fifth meridian west longitude, thence south along that meridian to the tenth parallel north latitude, thence southeast to the intersection of the equator and the twentieth meridian west longitude, thence along the twentieth meridian west longitude to the South Pole.

"West boundary—From the North Pole, south along the one hundred and forty-first meridian west longitude to the east boundary of Alaska, thence south and southeast along the Alaskan boundary to the Pacific Ocean, thence south along the one hundred and thirtieth meridian to its intersection with the thirtieth parallel north latitude, thence southeast to the intersection of the equator and the one hundredth meridian west longitude, thence south along the one hundredth meridian west longitude to the South Pole."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Naval Reserve Act of 1938, as amended, and the Coast Guard Auxiliary and Reserve Act of 1941, as amended, so as to permit service of members of the Women's Reserves in the American area, the Territories of Hawaii and Alaska, and for other purposes."

RECESS TO FRIDAY

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 1 o'clock and 15 minutes p. m.) the Senate took a recess until Friday, September 15, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 13 (legislative day of September 1), 1944:

FEDERAL POWER COMMISSION

Leland Olds to be a member, Federal Power Commission, for the term expiring June 22, 1949.

THE JUDICIARY

UNITED STATES ATTORNEY

Howard F. Houk to be United States attorney for the district of New Mexico.

UNITED STATES MARSHAL

Benjamin J. McKinney to be United States marshal for the district of Arizona.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR CORPS

Fred D. Lewis, Jr., to be temporary dental surgeon, effective September 1, 1944.

Leon A. Heppel to be temporary passed assistant surgeon, effective August 1, 1944.

Robert J. Huebner to be temporary passed assistant surgeon, effective August 1, 1944.

POSTMASTERS

ARIZONA

Clark H. Lewis, Tiger.

ARKANSAS

Madia B. Adams, Austin.
John H. Long, Donaldson.

Bertha Clinton Cragar, Grannis.
Charles E. Watson, Greenway.
Monroe K. Churchill, Hector.
Clarence U. Price, London.
Samuel E. Adkisson, Mount Vernon.
Bland F. Bryant, Success.
Charles A. Affholter, Vandervoort.

FLORIDA

Rex O. Simmons, Bascom.
Alice W. Martin, Bay Pines.
Percival L. Buzbee, Gibsonton.
Irene E. Culbreth, Jennings.
Janet E. Barr, Limona.
Robert G. Wood, Jr., Lithia.
Varena M. Cox, Montverde.
Frances Graham, Naranja.
Bert Emberton, Port Tampa.
Marvin A. Thomason, Produce.

ILLINOIS

Carter H. Pietsch, Bloomington.
Veneta L. Moss, Dakota.
Harley R. Foster, Deer Creek.
Ivory Bunch, McClure.
Bertha M. Esh, Spring Grove.
Jennie Puma, Thayer.
Thomas J. Gawthorp, West Salem.

IOWA

Charles D. Burns, Marion.
Warren W. Fulton, Selma.

LOUISIANA

John A. Ludwig, Grand Isle.

MINNESOTA

Lawrence J. Voight, Clara City.
Olive M. Stromgren, Constance.
Norman C. Worden, Erhard.
Heziakah H. Wood, Freeborn.
Edward J. Garrity, McGrath.

MISSISSIPPI

Roy E. Hussey, Abbeville.
Lina B. Dietz, Beaumont.
Jesse H. Seale, Big Creek.
Annette Boleware, Carson.
Mary Bloodworth, Cascilla.
Albert P. Henry, Darling.
Edith M. Hattox, Ecu.
Eva D. Hill, Elliott.
Jimmie L. Coffey, Etta.
James E. Rogers, Falkner.
Sarah F. Myers, Handsboro.
Honor A. Patterson, Hub.
Earl J. Lake, Maud.
Stella M. Lewis, McLain.
Carrie B. Carter, McLaurin.
Taylor D. Buntin, Nesbitt.
Mattie B. Bounds, Overt.
Benjamin C. Felgler, Philipp.
Willie G. Rogers, Plantersville.
Edna E. Forbes, Sandy Hook.
Vanle S. Cox, Sarah.
Lee R. Adams, Sweetman.
William George Knight, Sr., Taylor.
James J. Craig, Tillatoba.
Oleane Wright, Tremont.
Hilda P. Toombs, Walls.

NORTH DAKOTA

Gertrude E. Kraus, Alice.
Edward Jerke, Fredonia.
Esther N. Overn, Kathryn.
Vaughn C. Magnuson, Martin.
Benjamin J. Schnedar, Pisek.

OKLAHOMA

Clefford F. Vickroy, Frederick.

SOUTH DAKOTA

Brendan A. Keane, Stephan.
Agnes C. Maroney, Winfred.

TEXAS

Ben F. Brooks, Bagwell.
Gaynell Bond, Donle.
Luther M. Dye, Graford.
Charles Smart, Lone Oak.
Charles M. Bollinger, Powderly.
Charles E. Turner, Smithfield.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 13, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bless Thee, merciful God, for all our days, laden with spiritual benedictions and influences. Let the fretful and questioning heart say with the Psalmist: "Return unto thy rest, O my soul, for the Lord hath dealt bountifully with thee. I will pay my vows unto Him in the presence of all the people and will walk before the Lord in the land of the living." In Thy blessings enable us to profit in knowledge, strength, and courage.

Through self-revelation, Heavenly Father, show us a vision of the new and better life in which shall be arrested the unmastered tendencies of our hearts and unfetter the entanglements of temptation. Forgive the meagerness of our obedience and sacrifice; we plead for more faith, for a more resolute spirit that shall defeat the barriers and besetments to true manhood and womanhood. O deliver us from the enthrallments of the solitary and selfish life which so often teems with delusions and false estimates. We would pray for the wondrous virtue of Thy spirit with directive energy that frames the soul with abounding grace and power. We ask Thee "for a present mind intent on pleasing Thee." Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 1434. An act for the relief of Anna M. Kohler.

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2137. An act to provide for naming the lake formed by waters of the Red River impounded by Denison Dam; and

S. J. Res. 150. Joint resolution making an appropriation to pay the necessary expenses of the inaugural ceremonies of the President of the United States, January 20, 1945.

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Labor.
2. Department of the Navy.

3. Department of the Treasury.
4. Post Office Department.
5. Federal Security Agency.
6. Interstate Commerce Commission.
7. National Archives.
8. Office of Price Administration.
9. Railroad Retirement Board.
10. War Food Administration.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may address the House today, after other special orders, for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TO AMEND THE NATIONALITY ACT OF 1940

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4271) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "six" and insert "five."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain this amendment?

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. MASON. This amendment which the Senate has placed upon this bill simply cuts the 2-year extension which the House provided in the bill to 1 year to maintain their citizenship. That is all it does.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO EXPATRIATE OR EXCLUDE CERTAIN PERSONS FOR EVADING MILITARY AND NAVAL SERVICE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4257) to expatriate or exclude certain persons for evading military and naval service, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "(1)" and insert "(j)."

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman from New York explain the Senate amendment?

Mr. DICKSTEIN. Mr. Speaker, this bill was passed by the House after it had been unanimously reported by the committee. The purpose of the bill is to